

1979 – 80 SAN FRANCISCO CIVIL GRAND JURY
REPORT ON AFTERMATH OF DAN WHITE VERDICT
ON MAY 21, 1979

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On the evening of May 21, 1979, a verdict of involuntary manslaughter was returned by the jury in the trial of former Supervisor Dan White, who was charged with the killing of Mayor George Moscone and Supervisor Harvey Milk. A march to protest the verdict formed near the vicinity of Castro and Market Streets and proceeded to the Civic Center. When it reached City Hall, the crowd found no specific focus for its protest. A small minority of the crowd attacked City Hall, breaking windows and attempting to set the building on fire. Police officers at the scene were stoned and taunted. Later in the evening, police cruisers parked on McAllister Street were torched. Sometime after 11:00 P.M., the police dispersed the crowd from the Civic Center, an action which resulted in numerous injuries to police and to civilians. Following the dispersal, sporadic looting and vandalism occurred in the vicinity of the Civic Center, on Market Street, on Larkin Street, etc. A large contingent of police moved to the Castro and Market district. Crowds formed near the intersection of 18th and Castro Streets. Members of the crowd may have thrown objects at the police. Police officers requested that many of the bars in the area close, which the bars did voluntarily. A squad of police entered the Elephant Walk Bar and cleared it. In the process, substantial damage was done to the premises and many patrons and employees of the bar have alleged brutal behavior by the police.

This Report

The Civil Grand Jury is charged with investigating the performance of city and county departments. The events of May 21st raise many questions about San Francisco's ability to respond to an emergency situation, whether a riot (as in this case) or a natural disaster. We are issuing this report in order to provide the citizens of San Francisco with our evaluations of departmental performance while the events remain relatively recent. Many of the problems which came to light as a result of the May 21st riot are continuing situations or symptoms of larger issues to be addressed by the Civil Grand Jury in its annual report, which will be issued at the end of the jury's term in June, 1980. The Civil Grand Jury hereby makes the following conclusions and recommendations as a result of its investigation of the May 21st riot.

The March and the Violence

The Civil Grand Jury believes that citizens were entitled to assemble and demonstrate in order to protest the verdict in the Dan White trial. The jury approves of the police department's willingness to facilitate this kind of spontaneous demonstration, which formed suddenly and without the usual parade permits. We commend the police department's escort of the marchers from Castro and Market to City Hall.

The Civil Grand Jury condemns the actions of marchers who perpetrated or incited violent acts. Even in view of the astonishing result in the Dan White trial, violent action was a totally inappropriate response to the verdict. Violence could not in any way overturn the outcome of the

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trial; furthermore, those who rioted dishonored the memories of Mayor Moscone and Supervisor Milk, both of whom were opposed to violence.

We believe that the large majority of the people at the Civic Center on the night of May 21st were peaceful. Although many of the citizens who marched from the Castro and Market area were members of San Francisco's gay community, we have no evidence that the perpetrators of the violence were gay people. We conclude that it would be inappropriate to refer to the events of May 21st as a gay riot.

Preparedness

I. Intelligence

We conclude that the police department's intelligence gathering system failed to alert the department to the potential of a violent demonstration occurring in the event a lenient verdict was returned in the Dan White trial. Testimony before the jury indicated that members of the gay community and high civic officials communicated their apprehensions to police officials during the week preceding the jury verdict. There is no indication that the police department acted upon this information in any way. Had it done so, the entire incident might have been averted.

II. Training

All police officers receive riot and crowd control training during their course at the police academy. Once on duty, however, the only component of the force which keeps up its training is the Crime Specific Task Force (CSTF). Police personnel assigned to district stations receive sporadic and inadequate formal riot/crowd control training once they leave the academy. Many of the police officers on duty at the Civic Center the night of May 21st had not received instruction in crowd control for years.

III. Equipment

Police, sheriff and other city personnel who may require it appear to have limited and antiquated equipment for use during crowd control situations. As a particular example, gas masks owned by the police are of several different, non-standardized types; some of the police department's gas masks date back to World War II.

Recall Procedures

We conclude that police procedures for recalling off-duty personnel are inadequate. From the time it was determined on the night of May 21st that off-duty officers would be needed to the time that they actually were contacted and reported for duty, hours had passed. The May 21st incident raises anew the question of residence requirements for essential city employees; the length of time it took to locate and recall personnel that evening raises doubts about the appropriateness of the existing residence regulations. The Civil Grand Jury has not reached any conclusions about the residency issue at this time; it will endeavor to make recommendations to the citizens of San Francisco about this issue in its annual report.

In addition to the deficiencies we have found in recall procedures, we also conclude that the police department erred in releasing day watch personnel during the early evening of May 21st. Various station commanders repeatedly called police headquarters following the announcement of the verdict to determine whether or not to release their day watch personnel. Even as the march was forming on Castro Street, day watches were being released. Recalling those officers later proved to be a difficult task, as noted above.

City-Wide Planning

The jury's investigation revealed that San Francisco has an Emergency Operations Plan for dealing with civic emergencies, whether civil disorders or natural disasters. However, it appears that almost nobody in city government is aware of the plan's existence, nor have we been able to determine that any effort was made to implement it during the May 21st disturbance. There was a lengthy attempt the night of May 21st to locate the city's Emergency Services Director, who is responsible for preparing and implementing the plan. The director turned out to be in Sacramento; there is apparently no back-up person designated to be responsible for coordinating emergency services in the director's absence. For all practical purposes, the Emergency Operations Plan might as well not exist.

The May 21st incident demonstrated a total lack of communications and co-ordination among city departments. As a prime example, much has been made of the fact that if there had been a suitable public address system available, community leaders and city officials might have been able to speak to the crowd and provide a focus for the protest demonstration. Frantic efforts all night long to locate such a system were fruitless; nobody in the police department or the mayor's office was apparently aware of the existence of just such equipment in Room 260 of City Hall.

The jury's investigation revealed that there is very little communication or coordination between the police and sheriff's departments. Sheriff Brown was in his City Hall office the night of May 21st and informed police that he was available if needed. Sheriff Brown informed the Civil Grand Jury that he could have provided up to 50 deputies upon request the night of May 21st. He was never asked. In addition, we found that there is no clear delineation of the responsibilities of the police and sheriff's departments for the protection and security of City Hall. At present there appears to be divided jurisdiction between the two departments, with neither one having a precise understanding of who is responsible for what.

The Civil Grand Jury also found that the police department seems unable to protect with the fire department during civil disturbances. On the night of May 21st, fire department personnel attempting to reach a burning police cruiser in front of City Hall were prevented by the crowd from accomplishing their duty. Calls by the firefighters for police assistance and protection were met with inadequate response.

Municipal Response at the Civic Center

The Civil Grand Jury makes the following findings concerning the response

of City officials and departments during the riot at the Civic Center:

1) Police response to the riot was hampered by poor communications. All police personnel on the scene could not receive the same channels on their radio equipment; orders and information were not being broadcast on all the channels being used that evening. The Chief of Police was not wearing a radio himself. Furthermore, existing police radio receivers were difficult to hear.

2) Additional confusion resulted from the designation of three different locations as "the command post." This term was used to designate a field command post located at the corner of Polk and McAllister, to designate of Chief of Police (who thought the command post was located wherever he might be), and to designate the Mayor (who thought her office was the command post).

3) Several times during the evening, a number of public officials, including Mayor Dianne Feinstein and Supervisor Carol Ruth Silver, attempted to address the crowd in an effort to calm it and to provide a focus for the demonstration. Although their efforts were unsuccessful, we commend these officials for their courageous attempts to mollify a hostile mob.

4) When it became clear that the crowd was out of control, no effort was made to set up police barricades around the Civic Center area to prevent more people from joining the mob and aggravating the situation, as well as to prevent people leaving the Plaza from returning.

5) Several times during the evening, police officers radioed for help by broadcasting a call referred to as a "406." A "406" is the most urgent category among police radio calls for assistance and officers expect all police personnel on duty to respond until otherwise notified. On the night of May 21st, several "406" calls were cancelled by Chief Gain and Deputy Chief Mullen without their sending aid to the officers making the calls. The Civil Grand Jury accepts the rationale that the "406" calls were cancelled to avoid having all police personnel in the city converging on the Civic Center. The Grand Jury concludes that Chief Gain and Deputy Chief Mullen were irresponsible and acted without actual knowledge when they cancelled the "406" calls without dispatching any assistance to the officers calling for help.

6) Sometime around 10:00 p.m., squads of police officers who had been stationed for hours in the City Hall rotunda were ordered to march to the front of City Hall and clear the steps and sidewalk on the Polk Street side of the building. The police officers accomplished this task. The officers were then ordered to line up in front of the building and were left standing there for nearly an hour as targets of the mob's hostility. It was during this period that a number of police officers were injured by objects thrown by crowd members. We conclude that there was no rational justification for ordering this line-up or for exposing police officers to an angry mob for an extended period of time if there was no intention to disperse the crowd.

7) Before the police cleared the steps and sidewalk, a group of citizens who opposed the violent behavior of some of the crowd members organized

a line on the City Hall steps. These citizens linked arms and attempted to keep the more violent people away from the smashed-in doors of City Hall. Among those in the line of peaceful citizens were some well-known gay community leaders. The organizers of the line were in communication with the police inside City Hall, who were aware of their presence and encouraged their efforts. Nevertheless, when the police finally left the City Hall rotunda and went outside to clear the Polk Street side of the building, they cleared not only the riotous crowd, they attacked and clubbed the members of the non-violent citizens' line who were standing behind the police line and who were never requested by the police to leave. The Civil Grand Jury finds this action by the police inexcusable.

8) The Civil Grand Jury finds that some police officers responding to calls that they report to the Civic Center parked their cruisers on McAllister Street contrary to established policy and practice that police vehicles be parked some distance away from the scene of a civil disturbance. The police cruisers parked on McAllister Street were later vandalized and set on fire by the mob.

9) The Civil Grand Jury concludes that the Chief of Police failed to follow long-established Police Department crowd control procedures and refused to consult with or accept the advice of Police Department personnel who are considered to be the department's experts in riot and crowd control.

10) The Civil Grand Jury concludes that sufficient police personnel were on hand at City Hall by 8:30 - 9:00 p.m. to disperse the crowd. We believe that it was a failure in judgment for city officials to allow violent behavior to continue unchecked once it began. The crowd should have been dispersed as soon as it became violent.

11) The jury concludes that fires and looting which broke out in several areas near the Civic Center following the dispersal of the mob could have been reduced had San Francisco and Mutual Aid police personnel patrolling those areas arrested more of the individuals seen breaking windows or setting fires. The jury has no evidence to indicate that persons who set fires or looted businesses in the Civic Center environs were part of the crowd at City Hall.

The Mood of the Crowd and the Police

The events which took place at the Civic Center the night of May 21st were aggravated by the mood of both the mob and of the police.

Police officers who were present at the Civic Center the night of May 21st almost unanimously testified to their frustration at being prevented from taking action against a mob which appeared to be destroying City Hall. Hundreds of police officers (including most of the CSTF) were kept bottled up in the City Hall rotunda for hours while the front doors of the building were smashed to bits, fires were set in basement offices, and tear gas was released somewhere in the building. When police were finally ordered outside, they were only allowed to clear the steps and sidewalk in front of the building. For nearly an hour, a line of police officers stood outside the building being taunted by the crowd and

serving as targets for those in the mob who were throwing objects ranging from rocks and bottles to trash can lids. A number of officers were injured while standing in the line. In addition, police rank-and-file officers were infuriated to hear "406" calls being cancelled. Officers interviewed by the jury testified that they consider a "406" to mean that a fellow officer is in utmost distress and expect that all on-duty personnel will attempt to respond to such a call. All officers interviewed believed that the cancellation of the "406" calls was the most demoralizing occurrence of the entire night.

The Civil Grand Jury can understand the anger and frustration of officers who were placed in this position and who were unable to take any action against the rioters. The jury believes that some of the acts of police violence which occurred during the dispersal of the crowd later in the evening might not have happened if the level of anger and frustration among the police officers present had not been so high.

The apparent inability or reticence of the police command to respond to acts of mob violence encouraged the violent members of the crowd to step up their attacks. In effect, crowd members seemed to be testing the police; when the police failed to respond to taunts and bottle-throwing, rioters were encouraged to escalate their violence. This led, we believe, to the mob's efforts to set fire to City Hall and the successful vandalizing and torching of the police cars parked in the Civic Center.

Police Brutality at the Civic Center

There have been numerous allegations that instances of police brutality occurred during and after the dispersal of the crowd at the Civic Center on May 21st. We conclude that some incidents occurred at the Civic Center which can only be characterized as the excessive and inappropriate use of force by police officers. We regret that we cannot supply the people of San Francisco with more conclusive details. There has been some reticence by affected private citizens to co-operate with the grand jury by providing witnesses to acts of brutality or substantive evidence of such acts, like medical records. A number of the police officers interviewed by the jury saw nothing, heard nothing and did nothing. The extremely limited resources of the grand jury, which does not have professional investigators, has hindered this aspect of our investigation immeasurably. Nevertheless, the injuries sustained by some members of the crowd at City Hall suggest to us that force far in excess of what would be necessary to disperse the crowd was used by a few police officers.

The problem facing both the Civil Grand Jury and the citizens who allege they were brutalized is that the offending police officers cannot be identified. Both police and private individuals have testified that the police making the sweep of the Civic Center Plaza were wearing dark blue jump suits without badges, and were wearing riot helmets with their visors down. Under those circumstances, it would be miraculous if anyone were able to identify any individual police officer taking part in the sweep.

While it is clear to us that a few officers exceeded the scope of their duties by brutalizing citizens, we also conclude that most police officers

exercised considerable restraint during their service at the Civic Center on May 21st. We are persuaded that it is inevitable that in the dispersal of a riotous crowd there will be injuries to crowd members -- even those who might have been peaceful. Police are authorized to use their batons to push and jab at demonstrators who resist them. In the rush to avoid an oncoming line of police, it is likely that people will be scraped, jostled, bruised or trampled. Such injuries incurred during the course of a civil disturbance do not strike this jury as being evidence of police brutality.

A Debacle on Castro Street

After the riotous mob at the Civic Center had been dispersed, large numbers of police proceeded to the Castro and Market area. The Civil Grand Jury has had some difficulty reconstructing what occurred on Castro Street during the early hours of May 22nd. Many reports to the jury indicated that nothing unusual was taking place on Castro Street when police arrived there. After police appeared on Castro Street, crowds began gathering to see what was going on. A Muni inspector in a Muni vehicle was surrounded by the crowd at one point, and a Muni bus was also blocked for a while. The trapped Muni inspector appealed for police assistance; his request was ignored. Finally, some crowd members apparently persuaded the people surrounding the car to move, and the Muni vehicle left the area.

On the basis of unsubstantiated reports around 1:00 a.m. that bottles were being thrown at police, a much larger police presence entered the area. Specifically, a bus-load of police in riot gear was dispatched to Castro Street and advanced toward the intersection of 18th and Castro. Bystanders, largely members of the gay community who historically have mistrusted the police and were angered by the Dan White trial verdict, began taunting the officers. Captain Jeffries, who commands the Mission Station, ordered police officers in pairs to ask the bars to close. Captain Jeffries received a report that bottles were being thrown from the Elephant Walk Bar, on the southwest corner of 18th and Castro, and ordered it closed.

The grand jury has not been able to unearth credible evidence that bottles or other objects were being thrown from the Elephant Walk Bar. The police claim that bottles were being thrown and that an officer attempting to enter the bar to close it was subjected to a barrage of objects from bar patrons. Bar employees and patrons whom the jury interviewed deny that any objects were thrown at police from the Elephant Walk.

No evidence has been submitted to us to show that the police made a bona fide effort to have the Elephant Walk management close prior to raiding the bar. We note that other bars on the street closed without incident when requested to do so by the police. Elephant Walk spokespersons have said that they would have closed willingly if they had ever been requested by the police to do so. Yet a squad of police invaded the Elephant Walk Bar and cleared it. In the process, numerous patrons and employees of the bar were injured; glassware, bottles and windows were smashed; and the bar was left a shambles. Employees and patrons of

the bar claim that there was no warning that the police were going to enter the Elephant Walk in force.

We conclude that the police raid on the Elephant Walk was not justified by the circumstances, that unnecessary violence was used against Elephant Walk patrons and employees, and that police officers apparently vandalized the premises. If it were true that a police officer had difficulty entering the Elephant Walk through the front door, there was also a side entrance along 18th Street. It is conceivable that a uniformed officer entering the bar might have been pelted, given the hostility of the neighborhood at that moment, but a plainclothes officer could have been sent inside instead, to ask the bar management to close. The members of the Civil Grand Jury are not persuaded that wholesale mayhem was the only possible way to close the Elephant Walk.

In addition to injuries incurred by patrons and employees of the Elephant Walk, people on the streets attempting to leave the area were pursued by police and beaten. One individual was beaten in the alleyway of his own residence. Persistent reports lead us to conclude that police officers used abusive and obscene language to citizens. We find the lack of police professionalism in the entire Castro Street affair, and particularly the Elephant Walk raid, inexcusable.

There has been considerable controversy among rank-and-file police officers over Deputy Chief Mullen's eventual order to withdraw police from Castro Street. In fact, this order is referred to by some police officers as "Mullen's Retreat." The Civil Grand Jury approves of police being withdrawn from Castro Street. Chief Mullen's action probably prevented an already deteriorated situation from becoming an all-night riot.

The Civil Grand Jury concludes, most importantly, that none of the trouble on Castro Street would probably have occurred if police had not shown up en masse and caused crowds to gather. There is no evidence that a massive police presence was necessary on Castro Street at any time during the morning of May 22nd. Small details of police, preferably in plainclothes, could have dealt with the problem of closing the bars, if there were indeed a need to close the bars.

Inflammatory Remarks

In spite of the jury's findings that the police presence and behavior on Castro Street was entirely inappropriate, the Grand Jury particularly must condemn the intemperate remarks of Supervisor Harry Britt made during and immediately after the Castro debacle. While we can understand Supervisor Britt's outrage over the Dan White trial verdict and the events which followed it, we believe that public officials have an absolute responsibility to assist in defusing potentially explosive situations. Instead, Supervisor Britt's remarks could very easily have been interpreted by any nearby listener as condoning the City Hall riot and the harassment of police on Castro Street. Given the inflamed emotions of the crowd, Supervisor Britt's comments could have incited people on Castro Street to further violence. That potential for violence lingered through the rest of May 22nd, since a birthday memorial for

slain Supervisor Harvey Milk was scheduled to take place on Castro Street during the early evening. Supervisor Britt's actions during the morning of May 22nd were irresponsible and dangerous.

Aftermath

Following the May 21st riot, numerous charges were filed by injured citizens against the police. Some of these complaints have grown into lawsuits; others were filed with the police department's Internal Affairs Bureau. The Grand Jury will not comment on the complaints which are now in litigation. We have, however, examined the process and results of the police internal affairs investigations. The Civil Grand Jury concludes that the Internal Affairs Bureau has made a good faith effort to investigate the charges filed with their office. Their investigation has been handicapped by a number of factors:

- 1) The inability to identify the badgeless officers who allegedly brutalized citizens at the Civic Center;
- 2) The lack of cooperation from complainants and their attorneys in providing evidence and witnesses; and
- 3) Lack of cooperation from police officers present the night of May 21st.

We have no evidence to suggest that Internal Affairs attempted to white-wash police participation in brutal behavior; in fact, the Internal Affairs Bureau faced some of the same difficulties the Civil Grand Jury experienced in its own investigation. A number of the Internal Affairs investigations have been completed and the reports have been forwarded to Chief Gain for action. We commend the Internal Affairs staff for making a conscientious effort to fulfill their responsibilities under difficult circumstances.

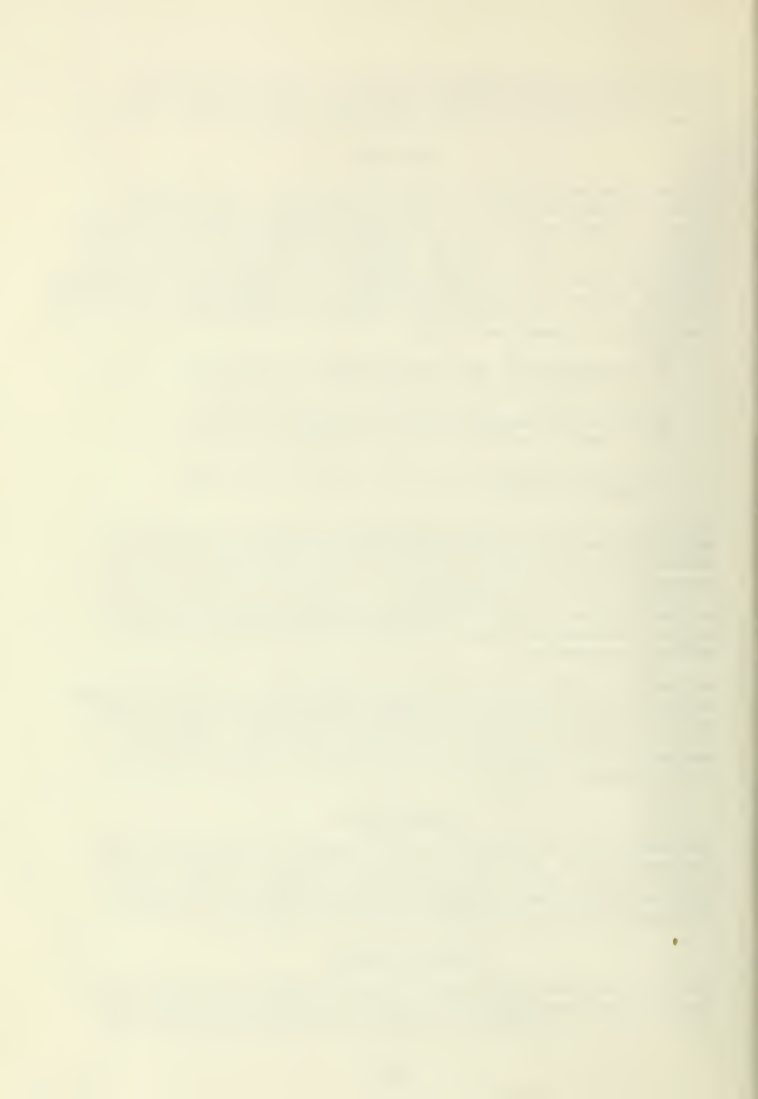
In addition to the internal affairs investigations and civil suits filed against the City, the police department prepared a selective and highly edited major incident report; the Board of Supervisors' Police Committee held an inconclusive hearing on the riot; and the Police Commission contracted for a report on the riot by SRI International (formerly the Stanford Research Institute).

The SRI Report

The Civil Grand Jury believes that the findings of the SRI report are consonant with our own findings, and hopes that the two reports will be read in concert. Each of the reports has a slightly different focus. The Grand Jury had the advantage of access to materials and documents which may not have been available to the SRI researchers.

A Lesson Ignored?

The Civil Grand Jury hoped that city agencies had learned something as a result of their experience on May 21st. We are appalled to hear that around 1:30 a.m. on Hallowe'en a busload of riot-equipped police once



again appeared on Castro Street to sweep revelers from the area. Citizen monitors who were on duty all evening to assist the police in controlling the crowd and who had been working together with plainclothes officers now report that they were beaten or clubbed by the riot squad. Although the Grand Jury has not yet substantiated these allegations, complaints of this nature suggest to us that the police department has learned very little from its May 21st experience.

Recommendations and Conclusions

- 1) The Civil Grand Jury recommends that the police department review its intelligence operations both to improve its means of keeping informed of activity in the City's significant communities and to make better use of information which is already being submitted to the department.
- 2) The Grand Jury can discern no significant improvement in police/gay relations since May 21st. We recommend that Chief Gain immediately act to re-institute the Community Relations Program he dismantled, and which he has been ordered to reactivate by Mayor Feinstein and the Police Commission.
- 3) (a) We recommend that police station personnel be given refresher instruction in crowd and riot control, and that station personnel be drilled in such procedures at least twice a year.

(b) We also recommend that there be coordinated training of other city departments to ensure that they can respond effectively to future civil disorders or natural disasters. We commend the Sheriff's department for instituting riot control training on its own.

(c) We recommend that each city department periodically train and certify that their personnel are familiar with the provisions of the city Emergency Operations Plan (and its current revisions).
- 4) We recommend that within the limits of fiscal restraints the City conduct a full-scale evaluation of riot and crowd control equipment needs and proceed to purchase the necessary equipment, including items such as effective gas masks, shields, bulletproof vests, communications devices, etc. Such equipment should be standardized and interchangeable among the departments which may have need for it.
- 5) We recommend that the police and other city departments immediately institute action to improve their procedures for recalling essential personnel in time of emergency, including considering the use of remote controlled paging devices to signal off-duty personnel, and establishing and enforcing a residency requirement for emergency personnel which would permit prompt recall.
- 6) The Civil Grand Jury strongly urges that effective contingency plans be drawn up for dealing with possible civil disorders occurring at locations known to be the foci of public demonstrations, such as City Hall, the Federal Building, the Hall of Justice, the Iranian Consulate, etc. (The Mayor has informed the jury that a contingency plan is being developed for dealing with possible disorders at City Hall. Another plan will deal with disorders in the rest of the City.)

7) We recommend that better communications and cooperation be established between the police and sheriff's departments. Because of the expense to the City in using Mutual Aid personnel from other jurisdictions, we urge that the police first request assistance from the sheriff's department when there is a need to augment police department resources.

8) We recommend that there be a clear, written plan delineating the responsibilities of the police and sheriff's departments for the protection and security of City Hall. This should end the existing confusion over jurisdictions.

9) (a) We recommend that disciplinary action be instituted against any officer cancelling a "406" call without specifically knowing that the officer calling for assistance is no longer in jeopardy.

(b) We recommend that the police review their procedures for responding to calls for assistance from the San Francisco Fire Department and implement changes immediately to prevent a re-occurrence of the police failure to protect and assist firefighters at the Civic Center on May 21st.

10) We recommend that a well-publicized list of alternates be named to act in the place of the city's Director of Emergency Services in the event of the director's absence or incapacitation. There is no purpose to San Francisco having an Emergency Operations Plan if no one knows where it is or how it is implemented.

11) As long as police officers can remove their badges, instances of police brutality will take place for which the perpetrators will never be called to account. We understand, as well, that in a crowd control situation, police badges can become hazardous and that there is justification for their removal. To insure that police officers are accountable for their actions, as well as for their own protection, we urgently recommend that all police uniforms, including jump suits used in riot situations, bear the officer's last name and/or badge number on a highly visible patch sewn to the uniform.

12) We have a recommendation for our fellow citizens who may find themselves in a crowd that is becoming riotous and who wish to avoid being injured: LEAVE!!!

13) Although we believe the police department Internal Affairs Bureau did its best to investigate complaints filed with them, we recommend that the line of authority be changed to remove the bureau from the jurisdiction of the Chief of Police. Instead, the Bureau should answer directly to the Police Commission or some other responsible civilian body. Complaints filed by rank-and-file police officers against Chief Gain and Deputy Chief Mullen have been forwarded to Chief Gain for review, as required by the current structure. Chief Gain has not acted on those complaints. It is unacceptable for the system to allow someone against whom a charge has been filed to be the reviewing official.

14) We recommend that the penalty for police officers found guilty of brutalizing citizens be dismissal from the police force. Nothing is

more detrimental to the necessary cooperation between citizens and police department than having a citizenry which fears its police. We consider it imperative that the police department make every possible effort to identify and dismiss officers who commit illegal violent acts. San Francisco cannot tolerate the spectacle of its police breaking the law.

We wish to make it clear that we believe the San Francisco Police Department's record to be relatively free of brutal incidents. We particularly commend the department for its tremendous restraint in the use of firearms. This has resulted in a much lower incidence of police shootings than suffered by many of our neighboring cities. We are particularly grateful that no gun was drawn by any officer the night of May 21st.

15) We recommend that the police department revitalize its dwindling motorcycle and mounted divisions. A relatively small number of police officers on horses and/or motorcycles can be extremely effective in controlling crowds.

16) In order to reduce the possibilities of confrontations between police and potentially hostile citizens, we recommend that the use of civilian monitors at protest demonstrations and other gatherings be encouraged. We urge the police department to assist in training monitors and to coordinate their crowd control efforts to avoid any future instances of police attacking monitors.

In Closing

The members of the 1979-80 Civil Grand Jury hope that their fellow San Franciscans will find this special report useful. We are aware of its deficiencies; nevertheless, we believe we have made an honest effort to determine what happened the night of May 21st. If we had the luxury of full-time professional researchers and investigators, this report would have been more exhaustive.

We wish to thank all the people who met with us; this report would not have been possible without their willing cooperation.

Our conclusion about the May 21st riot is that many citizens and municipal officials conducted themselves abominably. We can only hope that everyone who experienced that awful evening has learned something from it, and that our recommendations will be considered seriously as means of avoiding a future riot or civic disaster.

The Civil Grand Jury will maintain a continuing interest in the issues raised by the events of May 21st, and will attempt to assure ourselves and our fellow San Franciscans that concrete changes will be made.

We close this report imploring our fellow citizens to maintain their self-control and refrain from responding to events with mindless violence. Rioting accomplishes nothing; it only creates bitterness and discord, and can lead to further violence. We call on all San Franciscans to live up to our city's long, time-honored tradition of expressing itself in peaceful ways.

Dated: December 3, 1979

MEMBERS OF THE 1979-80

CIVIL GRAND JURY

IN AND FOR THE

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